

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**JOSEPH ETINOFF,**

**Plaintiff,**

**2001-CV-0061**

**v.**

**GOVERNMENT OF THE VIRGIN  
ISLANDS et al.,**

**Defendants.**

**TO: Jesse A. Gessin, Esq., AFPD  
Richard A. Schrader, Jr., Esq., AAG**

**ORDER**

THIS MATTER came before the Court upon Defendant's Motion For Stay (Docket No. 79). Plaintiff filed an opposition to said motion. The expedited time for filing a reply has expired.

Upon review of the motion for stay and Plaintiff's opposition, the Court finds that a stay of the hearing scheduled for December 18, 2008, in this matter is not warranted. The motion which is the subject of the hearing was filed as a result of past conduct, not regarding Plaintiff's current system of care.

Consequently, the Court will deny the said motion. However, in the interest of causing the least disruption to Plaintiff's care, the Court will hold the scheduled hearing

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via videoconference. Any and all parties, counsel, and/or witnesses may appear at said hearing at the District Court of the Virgin Islands, Division of St. Thomas and St. John.

Accordingly, it is now hereby **ORDERED**:

1. Defendant's Motion For Stay (Docket No. 79) is **DENIED**.
2. The emergency hearing set for **December 18, 2008, at 10:00 a.m.**, shall be held via videoconference with Plaintiff and any other party, counsel, and/or witness who desires to do so, appearing for said hearing at the District Court of the Virgin Islands, Division of St. Thomas and St. John, Jury Assembly Room.

ENTER:

Dated: December 17, 2008

\_\_\_\_\_/s/\_\_\_\_\_  
GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE